

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE ARELLANO-CIGFUEGO,

Petitioner,

v.

WARDEN,

Respondent.

No. 1:23-cv-01351-WBS-SAB (HC)

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, GRANTING RESPONDENT'S MOTION TO DISMISS, DISMISSING PETITION FOR WRIT OF HABEAS CORPUS, AND DIRECTING CLERK OF COURT TO CLOSE CASE

(ECF Nos. 17, 24)

Petitioner Jose Arellano-Cigfuego is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 30, 2024, the assigned Magistrate Judge issued findings and recommendation that recommended granting Respondent's motion to dismiss and dismissing the petition as moot. (ECF No. 24.) The findings and recommendations were served on the parties¹ and contained notice that any objections were to be filed within thirty (30) days of the date of service of the findings and recommendations. (*Id.*) To date, no objections have been filed, and the time for doing so has passed.

¹ The findings and recommendations mailed to Petitioner were returned as undeliverable because Petitioner was no longer at the address. Absent notice of a party's change of address, service of documents at the prior address of the party is fully effective. Local Rule 182(f).

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the Court holds the findings
3 and recommendations to be supported by the record and proper analysis.

4 Accordingly:

5 1. The findings and recommendations issued on September 30, 2024 (ECF No. 24) are
6 adopted in full;

7 2. Respondent's motion to dismiss (ECF No. 17) is granted;

8 3. The petition for writ of habeas corpus is dismissed; and

9 4. The Clerk of Court is directed to close the case.

10 Dated: December 12, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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